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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,478	08/15/2003	Masakazu Kawai	20911-07322	3837
758	7590	10/13/2004	EXAMINER THOMPSON, JEWEL VERGIE	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			ART UNIT 2855	PAPER NUMBER

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/642,478<sub>1</sub>

Applicant(s)

KAWAI ET AL.

Examiner

Jewel V Thompson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 8-12 is/are rejected.
- 7) ☒ Claim(s) 5-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/10/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. Acknowledgement is made of the Information Disclosure Statement filed October 17, 1998, which has been made record of and placed in the file.

### ***Priority***

2. Acknowledgement is made of the Priority filed November 10, 2003, which has been made record of and placed in the file.

### ***Claim Objections***

3. Claims 5-7 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5-7 have not been further treated on the merits.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4 and 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Takenaka et al (5,432,417).

**Regarding claims 1 and 8**, Takenaka et al teaches a method for obtaining moments acting around joints of a leg of a biped walking system, comprising the steps of determining which leg or legs are in contact with the ground (col. 4, lines 30-37); obtaining the vertical component of a ground reaction force acting on the leg, based on which leg or legs are in contact with the ground obtaining a point of application of the ground reaction force (col. 4, lines 30-37); and obtaining the moments acting around the joints of the leg, using the vertical component of the ground reaction force acting on the leg at the point of application of the ground reaction force, the vertical components of forces acting on the joints of the leg and a term of the acceleration of gravity and without using the horizontal components of the forces acting on the joints of the leg and a term of acceleration except the term of the acceleration of gravity (col. 5, lines 1-29).

**Regarding claims 2 and 3**, Takenaka et al teaches the step of determining which leg or legs are in contact with the ground, the determination is made based on a

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value of the vertical component of acceleration measured on the body (col. 5, lines 1-29)

**Regarding claim 4**, Takenaka et al teaches determining which leg or legs are in contact with the ground, the determination is made using a sensor (col. 4, lines 30-37)

**Regarding claims 9-12**, Takenaka et al teaches a processor for obtaining torques to be applied to joints of a leg of a biped walking system, the processor being operable in association with angular sensors on the joints and at least one sensor set on the body of the biped walking system (col. 4, lines 48-68), wherein the processor is configured to perform the steps of determining which leg or legs are in contact with the ground, using information from the at least one sensor set on the body (col. 4, lines 30-37); obtaining an attitude of the leg, using information from the angular sensors (fig. 3); obtaining a location of the center of gravity of the whole body including the leg (col. 12, lines 24-40); obtaining the vertical component of a ground reaction force acting on the leg, based on which leg or legs are in contact with the ground (col. 4, lines 30-37); obtaining a point of application of the ground reaction force, using the attitude of the leg and the location of the center of gravity of the whole body (fig. 3 and col. 121, lines 24-40); obtaining moments acting around the joints of the leg, using the vertical component of the ground reaction force acting on the leg at the point of application of the ground reaction force, the vertical components of forces acting on the joints of the leg and a term of the acceleration of gravity and without using the horizontal components of the forces acting on the joints of the leg and a term of acceleration except the term of the acceleration of gravity (col. 5, lines 1-29) and obtaining the torques to be applied to the

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joints of the leg, based on the moments acting around the joints of the leg (col. 4, lines 24-38).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5,362,288 Razon teaches a device for assisting running, walking or jumping

5,808,433 Tagami et al teaches a method of generating gait of legged walking robot and system for controlling locomotion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jewel V Thompson whose telephone number is 571-272-2189. The examiner can normally be reached on 7-4:30, off alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jvt

October 6, 2004

  
EDWARD LEFKOWITZ  
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